

**KATE McKENNA, AICP**  
**Executive Officer**

**MINUTES OF THE  
LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY**

*Adopted on April 20, 2009*

*An audio/video recording of this meeting is available at the LAFCO office. Please contact us at (831) 754-5838 to arrange a time to listen or to order a copy.*

**Regular Meeting**

**Monday, March 23, 2009, 4:00 p.m.**

**Board of Supervisors Chambers  
Monterey County Government Center  
168 West Alisal, First Floor  
Salinas, California**

The meeting of the Local Agency Formation Commission (LAFCO) of Monterey County was called to order, by Chair Donohue at 4:06 p.m. in the Monterey County Board of Supervisors Chambers. Chair Donohue led the Pledge of Allegiance.

**ROLL CALL**

**Members Present**

Commissioner Donohue, Chair (*City Member*)

Commissioner Salinas, Vice-Chair (*County Member*)

Commissioner Calcagno (*County Member*)

Commissioner Champion (*Special District Member*)

Commissioner Darington, Alternate (*Public Member*)

Commissioner DiMaggio (*Public Member*)

Commissioner Gourley, Alternate (*City Member*)

Commissioner Moore, Alternate (*Special District Member*) – First Meeting on LAFCO

Commissioner Perkins (*Special District Member*)

Commissioner Rubio (*City Member*)

**Members Not Present, Presence Not Required**

Commissioner Armenta, Alternate (*County Member*)

**Staff Present**

Kate McKenna, AICP, Executive Officer

Thom McCue, AICP, Senior Analyst

Leslie Girard, LAFCO General Counsel

Rachelle Jones, LAFCO Clerk

Chair Donohue asked for a moment of silence in memory of the four police officers recently killed in Oakland.

**Item 4 Special Business**

**4.a Introduction of Michael Hutchinson, Vice President of Professional Services, Salinas Valley Memorial Hospital Healthcare District**

Vice President of Professional Services, Salinas Valley Memorial Hospital Healthcare District, Michael Hutchinson, was introduced by Executive Officer McKenna. Mr. Hutchinson provided a brief presentation at the podium.

**Item 5: Minutes**

**5.a Consider and Approve Draft Minutes of February 23, 2009 Regular LAFCO Meeting.**

**5.b Accept Draft Meeting Notes of February 23, 2009 Ad Hoc Legal Services Review Committee.**

**5.c Accept Draft Meeting Notes of March 9, 2009 Budget and Finance Committee Meeting.**

**5.c Accept Draft Meeting Notes of March 9, 2009 Ad Hoc Executive Officer Evaluation Committee.**

There was no public comment for these items.

**Commission Action**

Upon Motion of Commissioner Salinas, seconded by Commissioner Calcagno, Minutes Items 5 (a-d): Minutes of February 23, 2009 Regular LAFCO Meeting, Meeting Notes of February 23, 2009 Ad Hoc Legal Services Review Committee, Meeting Notes of March 9, 2009 Budget and Finance Committee Meeting, and Meeting Notes of March 9, 2009 Ad Hoc Executive Officer Evaluation Committee Meeting, were taken in block and unanimously adopted.

**Item 6: Public Comment:**

Roy Kaminski, resident of Carmel Valley, provided information regarding growth in various cities, and spoke in opposition to the incorporation of Carmel Valley. Bill Carrothers, resident of Salinas, spoke about the depreciation of the housing market in Salinas.

**Item 7: Commissioner Comment:**

None

**Item 8 (a-g): Consent Agenda:**

There was no public comment for this item.

Commission Comment and Action

Commissioner Rubio requested that consent agenda item 8.f (Approve Revisions to Executive Officer's Performance Appraisal Program) be pulled for discussion. He noted that the Executive Officer Evaluation Committee had recommended on March 9 that an informal evaluation be conducted each six months to review work program goals. The Commission discussed this item with Executive Officer McKenna, and to revise the Performance Appraisal Program to include a 6 month review of work program goals with the Executive Officer Evaluation Committee.

Upon Motion of Commissioner Salinas, seconded by Commissioner Perkins, Consent Agenda Items (a-g): Register of Checks Paid in February 2009, CALAFCO Legislation and Activities Report for March 2009, List of Anticipated Future Agenda Items, Agreement for Professional Services with Hayashi and Wayland, LLP, for Accounting and Financial Services Agreement for Professional Services with the Office of County Counsel, County of Monterey, for General Legal Services, Revisions to Executive Officer's Performance Appraisal Program, with an additional revision to include a 6 month review of work program goals with the Executive Officer Evaluation Committee, and Encumbrance of \$1,500 from Line Item No. 7242 (Professional Accounting and Financial Services) for Calculation of Post-Retirement Benefit Costs and Obligations, were approved by the following vote:

AYES: Commissioners Salinas, Perkins, Calcagno, Champion, DiMaggio,  
Donohue, and Rubio  
NOES: None  
ABSENT: None  
ABSTAIN: None

**Item 9: Public Hearings**

**9.a Consider Draft Proposed Budget for Fiscal Year 2009-2010.**

Executive Officer McKenna provided report. Committee Chair Rubio provided brief additional comments and overview of the Budget and Finance Committee recommendations.

Commission Action

Upon Motion of Commissioner Salinas, seconded by Commissioner Perkins, Proposed Budget for Fiscal Year 2009-2010 was unanimously adopted, and Executive Officer was directed to distribute the adopted proposed budget to local agencies for review and comment, and to schedule a public hearing on April 20 to consider adoption of the final budget for Fiscal Year 2009-2010.

**9.b Consider Draft Proposed Work Program for Fiscal Year 2009-2010.**

Executive Officer McKenna provided report. Committee Chair Rubio provided brief additional comments and overview of the Budget and Finance Committee recommendations.

Commission Action

Upon Motion of Commissioner Calcagno, seconded by Commissioner Perkins, Proposed Work Program for Fiscal Year 2009-2010 was unanimously adopted, and Executive Officer was directed to distribute the adopted proposed work program to local agencies for review and comment, and to schedule a public hearing on April 20 to consider adoption of the final work program for Fiscal Year 2009-2010.

**Item 10: New Business**

**10.a Consider a Draft Multi-Year Comprehensive Work Program to Update Service Reviews and Spheres of Influence for All Cities and Districts in Monterey County as Required by Government Code Sections 56425 and 56430, and Initiate Phase One Tasks for Fire Protection and Emergency Medical Services.**

Executive Officer McKenna provided report.

Chair Donohue opened this item for public comment.

**Public comment**

John Huerta, Mayor, City of Greenfield, expressed concerns with cost to the cities associated with the proposed updates to service reviews and spheres of influence.

Chair Donohue closed this item to public comment.

**Commission Comment and Action**

Commission discussed the draft work program to update service reviews and spheres of influence. Commissioner Rubio questioned whether there would be overlapping of phases during the final portion of the previous phase. Executive Officer McKenna explained that is the intent of the proposed phase schedule. Commissioner DiMaggio expressed concerns with delaying the cities' sphere updates based on the proposed schedule. He explained that he believes the cities should be moved to top priority in the schedule, and not be delayed for three and a half years. Commissioner Calcagno agreed with Commissioner DiMaggio's comments. Commissioner Perkins recommended moving the cities (proposed phase 5) to replace the proposed phase 1 (fire districts) and then shift the rest of the phases accordingly based on Commissioner DiMaggio's comments.

Commissioner DiMaggio made a motion, seconded by Commissioner Calcagno to amend proposed phase schedule moving the cities (proposed phase 5) to replace the proposed phase 1 (fire districts) on the Draft Multi-Year Comprehensive Work Program to Update Service Reviews and Spheres of Influence for All Cities and Districts in Monterey County as Required by Government Code Sections 56425 and 56430, and then shift the rest of the phases accordingly.

Commissioner Champion commented on the motion and expressed concerns with moving the fire districts to phase 2, because of safety and financial issues of the districts which effect the entire County, and requested that the fire districts remain phase 1 as recommended in the proposed schedule.

Commissioner Calcagno recommended putting both the cities and the fire districts as phase 1 of the schedule. Commissioner DiMaggio agreed with Commissioner Calcagno and amended his motion to that effect.

Commissioner Gourley questioned staffing and financial capabilities of the cities to work on sphere updates at this time, and requested a letter be submitted to the cities regarding the proposed plan.

Commissioner Calcagno, responding to Commissioner Gourley, said that most of the cities have general plans in place but have not had the development pressure to move forward, so this may be the right time to do these updates.

Commissioner Salinas added that he has no problem moving the cities up on the priority list, but is concerned with LAFCO's lean budget for fiscal year 2009-10, and whether or not the budget will need to be revisited if changes are approved on the proposed service review and spheres updates.

Commissioner Champion suggested a plan prioritized by need rather than type.

Commissioner Rubio made a subsequent motion, seconded by Commissioner Salinas, *"Given the significant discussion we're having in terms of priority and placement and what's more important... I know there is a motion on the table right now but it seems like it might be a good idea for Kate to go back and explore these different options we've just talked about, and also to check in with the cities to see if there is an ability to do the work and maybe bring this back next month for more information for Kate in terms of her ability to perform that work on a parallel basis or prioritize by need on the cities, and what it would take to accomplish both of those things either simultaneously or one right after the other."*, by the following vote:

AYES:	Commissioners Salinas, Perkins, Champion, Donohue, and Rubio
NOES:	Commissioners Calcagno and Rubio
ABSENT:	None
ABSTAIN:	None

#### **Item 11: Executive Officer's Report**

Executive Officer McKenna had no additional items to report.

#### **Item 12: Correspondence**

There were no additional items of correspondence to report.

#### **Item 13: Closed Session**

##### **a. Pursuant to Government Code Section 54956.9 (b) – Significant Exposure to Litigation.**

**The Commission will Confer with Counsel Regarding One Matter Involving a Significant Exposure to Litigation.**

The meeting was not called into closed session.

**Item 14: Adjournment**

On motion of Chair Donohue, there being no objection, the meeting was unanimously adjourned at 5:10 p.m. to the next Regular LAFCO Meeting to be held on Monday, March 23, 2009 at 4:00 p.m. in the Board of Supervisors Chambers, 168 W. Alisal St., First Floor, Salinas, California.

Respectfully Submitted,

Rachelle Jones  
LAFCO Clerk